

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EDDIE NELSON GARCIA,

Petitioner,

vs.

No. CV 10-1151 LH/CG

BILLY MASSINGILL, WARDEN
Regional Correctional Center

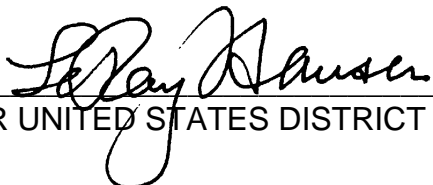
Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER came before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 9), filed January 24, 2011. Defendants had 14 days within which to file objections. No objections were filed, and the time for doing so has expired. Defendants were notified that failure to file written objections within the allotted time would preclude appellate review. No objections having been filed, the Court accepts the Proposed Findings and Recommended Disposition.

IT IS THEREFORE ORDERED that the Proposed Findings and Recommended Disposition of the United States Magistrate Judge (Doc. 9), is adopted by the Court;

IT IS FURTHER ORDERED that Eddie Nelson Garcia's *Petition for Writ of Habeas Corpus for Relief from Tribunal Court Conviction Pursuant to 25 U.S.C. § 1303*(Doc. 1) is **GRANTED**. Warden Billy Massingill is ordered to release Mr. Garcia from the custody of the Regional Correctional Center.



SENIOR UNITED STATES DISTRICT JUDGE